

KILPATRICK TOWNSEND & STOCKTON LLP  
JAMES G. GILLILAND, JR. (State Bar No. 107988)  
ROBERT D. TADLOCK (State Bar No. 238479)  
Two Embarcadero Center Eighth Floor  
San Francisco, CA 94111  
Telephone: (415) 576-0200  
Facsimile: (415) 576-0300  
Email: rtadlock@kilpatricktownsend.com  
jgilliland@kilpatricktownsend.com

IRIS SOCKEL MITRAKOS (State Bar No. 190162)  
ELHAM F. STEINER (State Bar No. 250312)  
12730 High Bluff Drive, Suite 400  
San Diego, California 92130  
Telephone: (858) 350-6100  
Facsimile: (858) 350-6111  
Email: ismitrakos@kilpatricktownsend.com  
esteiner@kilpatricktownsend.com

Attorneys for Plaintiff  
DREYER'S GRAND ICE CREAM, INC.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DREYER'S GRAND ICE CREAM, INC. a  
Delaware corporation,

Plaintiff,

v.

ICE CREAM DISTRIBUTORS OF  
EVANSVILLE, LLC, a Kentucky limited  
liability company, and SPIN CITY  
HOLDINGS, LLC an Indiana limited liability  
company,

Defendants.

Case No. 10-00317 EMC (LB)

**JOINT STIPULATION REQUESTING  
THE COURT TO VACATE THE JUNE 8,  
2011 SETTLEMENT CONFERENCE  
AND ~~PROPOSED~~ ORDER**

Date: June 8, 2011

Time: 10:00 am

Mag. Judge: Honorable Laurel Beeler

Pursuant to ADR 7-4 and Civil L.R. 7-12, Dreyer's Grand Ice Cream, Inc. ("Dreyer's")  
and Ice Cream Distributors of Evansville, LLC and Spin City Holdings (collectively  
"Defendants") hereby stipulate and request an Order vacating the Settlement Conference  
scheduled for June 8, 2011 due to the Court's April 20, 2011 Order on the parties' cross-motions



1 for summary judgment.

2 **STIPULATION**

3 WHEREAS the Court has scheduled a settlement conference in the above-entitled action  
4 for June 8, 2011 at 10:00 a.m. (Dkt. No. 105);

5 WHEREAS the parties filed cross-motions for summary judgment that the Court heard on  
6 March 23, 2011;

7 WHEREAS the Court granted Dreyer's motion for summary judgment on April 20, 2011  
8 and instructed Dreyer's counsel to contact the Court to vacate the settlement conference (Dkt. No.  
9 108);

10 WHEREAS the parties have previously stipulated to reschedule the settlement conference  
11 (Dkt. Nos. 37, 47, 53, 71, 104);

12 IT IS HEREBY STIPULATED AND AGREED by and among the parties and their  
13 counsel that the Settlement Conference currently scheduled for June 8, 2011 shall be vacated.

14 DATED: April 29, 2011

Respectfully submitted,

15 KILPATRICK TOWNSEND & STOCKTON LLP  
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17 By: /s/ Robert D. Tadlock

18 Robert D. Tadlock

19 Attorneys for Plaintiff

DREYER'S GRAND ICE CREAM, INC.

20 DATED: April 29, 2011

BRACAMONTES & VLASAK

21 By: /s/ Michael R. Bracamontes

22 Michael R. Bracamontes

23 Attorneys for Defendant

24 ICE CREAM DISTRIBUTORS OF EVANSVILLE,  
25 LLC and SPIN CITY HOLDINGS, LLC  
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**ORDER**

PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS ORDERED that the Settlement Conference scheduled for June 8, 2011 at 10:00 am is vacated.

DATED: May 3, 2011

